

PATENT / DOCKET NO. 10287.45
Customer No.: 000027683

The following claim 14 is amended, as indicated in the marked up version included with this response as Attachment A.

14. (Amended) A concentration system using magnetic particles comprising:
a concentration device according to either one of claim 1 or claim 10;
shift means capable of shifting the concentration device itself and/or a container mounted
outside of the concentration device; and
control means for controlling the operation of the liquid drive means, the magnetic force
means and/or the shift means.

REMARKS

I. Status of the Application

Claims 1-6, 8-11 and 13-16 are pending herein. Nonelected claims 17-22 have been cancelled without prejudice or disclaimer.

II. Restriction Requirement

The present Office action alleges that the above-captioned application contains groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. The Office action maintains that the inventions listed in the Office action as Groups I-II do not relate to a single general inventive concept under PCT Rule 13.1 because under PCT Rule 13.2 they allegedly lack the same or corresponding special technical features.

III. Election

Applicant hereby elects with traverse, for prosecution herein, the Group I claims, namely, Claims 1-6, 8-11 and 13-16.

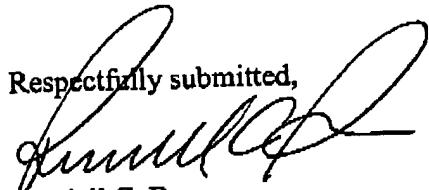
PATENT / DOCKET NO. 10287.45
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The Office action notes that when the application is examined, claims 14-16 would be objected to under 37 CFR §1.75(c) because a multiple dependent claim can not depend from a prior multiple dependent claim. Claim 14 has been amended to comply with 37 CFR §1.75(c). Therefore, it is respectfully submitted that an objection to current claims 14-16 would be improper.

V. Conclusion

In light of the foregoing amendments and remarks, it is believed that all matters set forth in the Office Action have been addressed. Applicants have made a diligent effort to advance the prosecution of this application by electing the Group I claims and by amending claim 14. Applicant submits that claims 1-6, 8-11 and 13-16 are in condition for allowance, and an early formal notice of allowance of claims 1-6, 8-11 and 13-16 is respectfully requested. Should the Examiner have any questions, he is invited to telephone the undersigned at the telephone number listed below.

Dated: February 6, 2003
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Respectfully submitted,

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ATTACHMENT A

MARKED UP VERSION OF AMENDMENTS TO CLAIMS

14. (Amended) A concentration system using magnetic particles comprising:
a [the] concentration device according to either [any] one of claim 1 or [to] claim 10 [13];
shift means capable of shifting the concentration device itself and/or a container mounted
outside of the concentration device; and
control means for controlling the operation of the liquid drive means, the magnetic force
means and/or the shift means.